

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MINNESOTA  
Case No. 20-mj-560 (KMM)

**AFFIDAVIT OF BRANDON J. BERNHARDT  
IN SUPPORT OF A CRIMINAL COMPLAINT**

Brandon J. Bernhardt, being duly sworn, deposes and states as follows:

1. I am a Special Agent with the Federal Bureau of Investigation (FBI) where I have been employed since July 2019. My primary assignment is the investigation of matters of national security in violation of federal criminal statutes. As part of my training and experience, I have also participated in the investigations of violent federal crimes, including violations of armed robbery.
2. I am an investigator or law enforcement officer of the United States within the meaning of Section 2510(7) of Title 18, United States Code; that is, an officer of the United States who is empowered by law to conduct investigations of and to make arrests for offenses enumerated in Section 2516 of Title 18, United States Code.
3. This Affidavit is submitted in support of a criminal complaint charging Delaney Nicholas Harris (hereafter identified as HARRIS), date of birth (DOB) November 22, 2000, with armed carjacking, in violation of 18 U.S.C. § 2119. The facts set forth herein are based on my review of police reports and conversations I have had with other law enforcement personnel. The facts set forth herein do not include all the facts related to this investigation, just those facts necessary to support probable cause for the charge alleged in the Complaint.

4. Your Affiant and other Minnesota FBI Agents, along with local law enforcement officers in both Minnesota and Illinois, have been investigating the following series of armed carjacking events in Minneapolis, Minnesota; South Holland, Illinois; and Markham, Illinois.

5. On June 1, 2020, at approximately 6:30 p.m., Minneapolis Police were dispatched to a report of a carjacking in the area of Park Avenue S. and Washington Avenue. Upon arrival and through investigation, officers learned that the victim (hereafter identified as W.D.) arrived in the area to meet up with some friends. W.D. parked his vehicle, a 2011, blue BMW bearing Minnesota license plate BPY424, Vehicle Identification Number (VIN) WBAFR1C52BDJ97940 and exited the vehicle. After exiting the vehicle, he was approached by two black males who demanded his car keys. The two black males threw W.D. to the ground, and one of the men pointed a black handgun at him. According to the Minneapolis Police Department report, the man stated, "I'm gonna shoot this motherfucker." W.D.'s car keys came out of his pockets and he threw the keys at the suspects.

6. Officers spoke with a witness who saw the incident and advised officers that he saw two black males prior to the incident and that one of them was holding a red solo style cup, which they left behind. Officers recovered the cup left behind by one of the black male suspects and held it for processing. This witness also described the suspect holding the solo cup wore a red shirt with white horizontal stripes with black pants. Additionally, he described this suspect as having tattoos of dots around his eyes.

7. On June 17, 2020, Minneapolis Police Sergeant David Swierzewski submitted the recovered cup for processing for fingerprints and DNA by the Minneapolis Police Crime Lab. Sergeant Swierzewski subsequently received a report related to the processing of the recovered cup. The report identified a suspect based on the latent fingerprint as HARRIS.

8. Sergeant Swierzewski was later contacted by an investigator from South Holland Police Department (SHPD) in Illinois. Sergeant Swierzewski was notified by SHPD that a carjacking had occurred at 1141 162nd East Street, South Holland, Illinois on June 16, 2020 at approximately 11:15 p.m. and that during that incident the suspects arrived in a blue BMW. Through investigation, the SHPD identified the blue BMW as the stolen vehicle listed above, bearing Minnesota license plate number: BPY424. Sergeant Swierzewski viewed surveillance still images from the incident and observed the clothing worn by the suspects as well as vehicle and suspect photographs.

9. Sergeant Swierzewski was also informed by SHPD that there was another carjacking incident had occurred a short time before the South Holland event by what appeared to be the same suspects. Sergeant Swierzewski learned that on June 16, 2020, at approximately 9:41 p.m., Markham Illinois Police were dispatched to a report of a carjacking aggravated robbery at 3553 West 159th Street, Markham, Illinois. Sergeant Swierzewski reviewed the surveillance photographs and confirmed one of the suspects to be HARRIS based on facial structure, tattoos, and a piercing.

10. Additionally, Sergeant Swierzewski also learned that on May 29, 2020, during the civil unrest in the Minneapolis and St. Paul metropolitan area, HARRIS was



arrested in Maple Grove, Minnesota for offenses related to the burglary of a Best Buy in Maple Grove, Minnesota, as well as fleeing from a police officer on foot. HARRIS was released from the Hennepin County, Minnesota jail on June 1, 2020 at approximately 4:30 p.m. His release was approximately two hours prior to and about 4 blocks away from the Minneapolis armed carjacking previously described.

11. At the time of his booking and at his release from the Hennepin County jail as result of the arrest in Maple Grove, HARRIS was observed wearing a red shirt with white horizontal stripes with black pants. These articles of clothing that HARRIS wore matches that of the witness description of the carjacking robbery in Minneapolis later that day.

12. I know that BMW automobiles are manufactured outside of the state of Minnesota and therefore the vehicle was transported, shipped and received interstate and foreign commerce before being stolen on June 1, 2020.

13. Based on the foregoing, Your Affiant has probable cause to believe that on June 1, 2020, HARRIS committed armed carjacking in the State and District of Minnesota; in violation of 18 U.S.C. § 2119.



BRANDON J. BERNHARDT  
Special Agent  
Federal Bureau of Investigation

SUBSCRIBED and SWORN to Before Me *using Zoom and email,*

This 28<sup>th</sup> day of July, 2020.



United States Magistrate Judge  
*Katherine Mendez*